GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Nagari Municipality - Allegations against Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District – Departmental enquiry under A.P.Civil Services (CCA) Rules 1991 – Imposed Penalty of 5% cut in pension for a period of four years, besides recovery of proportionate share amount of Rs.1,02,829/- under Rule-9 of APRP Rules, 1980- Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.MS.No. 20 Dated: 03-02-2016

Read the following:

Ref:1.From CDMA, A.P.Hyd Lr.Roc.No.12617/2011/C2, dt.17.09.2011.
2.G.O.Rt.No.1445, MA&UD(L1) Dept, dated 14.11.2011.
3.WSDs of Sri Y. Ch.Venkataiah, the then MC(Retd), dt.12.12.2011.
4.G.O.Rt.No. 61, MA&UD(L1) Dept dt.11.01.2013
5.From Sri G.Srinivasa Rao, Enquiry Officer, Lr.Roc.No.1/GSR/TPG/2013, dt.30.03.2014 & 08.04.2015.
6.Govt.Memo No.14563/Vig.II-2/2011, dt.27.04.2015.
7.Written representation of Sri Y. Ch.Venkataiah, the thenMC(Retd),dt.16.05.2015.
8.Govt.Memo No.14563/Vig.II-2/2011, Dt.06.10.2015.
9.Written representation of Sri Y. Ch.Venkataiah, the then MC(Retd), dt.08.10.2015.
10.Govt.Letter No.14563/Vig.II-2/2011, Dt.16.11.2015.
11.From the Principal Secretary, APPSC,AP,Hyderabad Lr.No.1023/DC&C/3/2015, dt.08.01.2016.

***

O R D E R

In the reference 1st read above, the Commissioner & Director of Municipal Administration, A.P, Hyderabad has furnished draft articles of charges against Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd) and others, Nagari Municipality, Chittoor District in connection with committing certain financial irregularities in Municipal funds to a tune of Rs.4,55,593/- in Nagari Municipality, Chittoor District. Accordingly, charges have been issued vide reference 2nd read above against Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District as follows:-

"Charge No.1

That he had failed to publish the tender notice in wide circulated daily news papers and through the e-procurement, for purchase of two tractors with trailers, two autos and one Dozer for an amount of Rs.33.00 lakhs, which leads, poor participations of bidders in tenders for which financial loss caused to the Municipality.

Charge No.2

That he has colluded with the contractors and paid excess amount in purchasing of 2 Sonalika Tractors with Tailor for an amount of Rs.13.88 lakhs, which is lesser than the rate of Rs.5.90 lakhs (approximately) each in the market and purchased 2 Hydraulic Autos & One Loader for Tractor for an amount of Rs.5.78 lakhs & Rs.4.28 lakhs respectively, which is also higher side than original market rate and he has paid excess amount to the contractor and committed irregularities and misappropriate the Municipal Funds in Nagari Municipality.

Charge No.3

That he had failed to publish the e-procurement and purchased One Tractor Dozer for an amount of Rs.13.99 lakhs in collusion with the Contractor and paid excess amount then the actual market rate committed irregularities and misappropriate the Municipal Funds in Nagari Municipality.

Charge No.4

That he had paid an amount of Rs.3.40 lakhs in the name of NCCF of the India Ltd., Tirupati vide D.D. instead of payment through the Cheque and not followed the due procedure and without procuring the conservative articles shown in the supply order and prepared records as per his will and wish and committed irregularities and misappropriated the Municipal Funds without any fear and unashamed.

…2

Charge No.5
For the above mentioned commissions and omissions, he had exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rules 3 of APCS (Conduct) Rules, 1964.

2. In the reference 3rd read above, Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District, while denying the charges framed against him has submitted his written statement of defence. Government after examining the written statement defences of charged officers and having found not satisfactory appointed Enquiry Officer to inquire into the charges framed against him vide reference 4th read above.

3. In the reference 5th read above, the Enquiry Officer has submitted his enquiry report and held that out of five charges, the four charges are proved against Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District during the enquiry.

4. In the reference 6th read above, copies of Enquiry Report was communicated to the Charged Officers including to Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District to offer their representations on the findings of the Inquiry Authority, besides recovery of 50% of revenue loss of Rs.2,05,658/- sustained by Nagari Municipality on purchase of two tractors with trailors in terms of Rule 21(2) of APCS(CCA) Rules, 1991. In the reference 7th read above, the charged officer while denying the findings of the Inquiry Authority has submitted his written representation.

5. After examination of the matter, Government have provisionally decided to impose a penalty of 5% cut in his monthly pension for a period of four years and also recovery of proportionate share amount of Rs.1,02,829/- as loss sustained by Nagari Municipality on purchase of two tractors with trailors against Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District in terms of Rule-9 of AP Revised Pension Rules, 1980. Accordingly, a show cause Notice has been issued as to why a penalty of 5% cut in his monthly pension for a period of four years shall not be imposed, besides recovery of proportionate share amount of Rs.1,02,829/- against him under Rule-9 of AP Revised Pension Rules, 1980 vide reference 8th read above. The charged officer has submitted his written representation duly denying the proposed penalty vide reference 9th read above. Government after examination of the written representation of the retired charged officer and confirming the proposed penalty have addressed to the Principal Secretary, A.P.P.S.C, A.P, Hyderabad to convey their concurrence to the penalty proposed vide reference 10th read above. In the reference 11th read above, the Principal Secretary, APPSC, Hyderabad has stated that the Commission has agreed to the above proposal of Government i.e., to impose the penalty of 5% cut in monthly pension for a period of four(4) years, besides recovery of proportionate share amount of Rs.1,02,829/- against the Charged Officer.

6. After careful examination of the matter, Government hereby impose a penalty of 5% (Five Percent)cut in monthly pension for a period of four(4) years against Sri Y.Ch.Venkataiah former Municipal Commissioner (Retd), Nagari Municipality, Chittoor District. Government also order for recovery of proportionate share amount of Rs.1,02,829/- from Sri Y.Ch.Venkataiah, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District for the loss sustained by the Municipality in terms of Rule-9 of AP Revised Pension Rules, 1980.

7. The Director of Municipal Administration A.P, Hyderabad shall take necessary action in the matter accordingly.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Y. Ch.Venkataiah, the then Municipal Commissioner(Retd),
Nagari Municipality, Chittoor District through DMA, AP, Hyderabad.
The Director of Municipal Administration, A.P, Hyderabad.
The Engineer-in-Chief(Public Health), A.P, Hyderabad
The RDMA, Anantapur.
The Municipal Commissioner, Nagari Municipality.
Copy to:
The G.P for MA&UD(S), APAT,Hyderabad
The Secretary to APVC, AP Secretariat, Hyderabad.
The Principal Secretary to APPSC, AP, Hyderabad.
The Principal AG(A&E), AP, Hyderabad.
Sc/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER